



Mining & Quarrying
OCCUPATIONAL HEALTH &
SAFETY COMMITTEE

Alcohol and Other Drugs Guide

Promoting Work Health and Safety in the Workplace

The South Australian Mining and Quarrying Occupational Health and Safety Committee

Promoting Work Health and Safety in the Workplace

This workplace industry safety resource is developed and fully funded by the Mining and Quarrying Occupational Health and Safety Committee (MAQOHSC).

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Alcohol and Other Drugs Guide

AIM

The aim of this Guidance Material is to provide Persons Conducting a Business or Undertaking (PCBUs) with practical guidance on managing the risks associated with alcohol and other drugs.

Forward

A range of factors, both at the workplace and in people's personal lives, can impact on the ability to work safely. The use of alcohol and/or other drugs may be one of them.

Alcohol and other drugs usage becomes a health and safety issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired, leading to increased risk of injury or incidents to themselves or others.

Co-workers may be placed in difficult situations, such as being expected to cover unsafe work practices or faced with reporting a fellow worker.

Workers must take reasonable care for their own health and safety and to ensure that their acts or omissions do not adversely affect the health and safety of others at the workplace. The consumption of alcohol and other drugs while at work is therefore unacceptable, except in relation to any authorised and or prescribed medications. Workers should present themselves for work and remain, while at work, capable of performing their work duties safely.

1. Legislative Responsibilities

As stated in the Mining and Quarrying Occupational Health and Safety Committee (MAQOHSC) Fitness For Work Guide, all Persons Conducting a Business or Undertaking have a duty to ensure all reasonably foreseeable hazards are identified, assessed and that these risks to health and safety are eliminated or minimised so far as is reasonably practicable. In addition to this requirement there is a requirement (Regulation 641) for Mine Operators to manage risks to health and safety associated with the consumption of alcohol by workers and to manage risks to health and safety associated with the use of drugs by workers.

2. Identifying Alcohol and Other Drug Related Risks

When attempting to identify alcohol and other drug related risks to health and safety, consideration should be given to:

- Workers being intoxicated at work;
- Regular use or dependence on alcohol or other drugs that adversely affects work performance or conduct;
- The possession, consumption, distribution and sale of illegal drugs in the workplace; or
- The effects of some over the counter and prescribed medications.

Note: *The above list is not exhaustive and should be used as a guide only.*

Some indicators that can suggest the presence of alcohol and other drug misuse include:

- Near miss incidents
- Violence
- Habitual lateness
- Frequent absences
- Neglect of personal grooming
- Interpersonal problems
- Worker experiencing poor coordination, poor concentration and/or visual disturbance.

Note: *The above list is not exhaustive and should be used as a guide only.*

3. Developing an Alcohol and Other Drugs Policy

The first step for Persons Conducting a Business or Undertaking in dealing constructively with alcohol or other drug related hazards in their workplace, is to develop an Alcohol and Other Drugs policy in consultation with workers.

Comprehensive workplace Alcohol and Other Drugs policies apply to all workers in the workplace and include prevention, education, counselling and rehabilitation arrangements.

This guide describes a range of policy and safety initiatives that can be considered for inclusion in a workplace Alcohol and Other Drug policy, including information on:

- Managing alcohol and other drug related health and safety risks;
- Approaching a worker who may be under the influence of alcohol or other drugs;

- Procedures for reporting alcohol and other drug use;
- Alcohol and other drug information, education and training;
- Counselling and support, such as Employee Assistance Programs (EAPs); and
- Disciplinary procedures.

Note: *Not all of the initiatives described will be suitable in all workplaces. The nature and severity of alcohol and drug related hazards may vary between workplaces. An alcohol and other drug policy that is suitable in one workplace may not be appropriate in another.*

When developing your Alcohol and Other Drugs policy consideration should be given to:

- The desired aims and outcomes of the policy;
- The standards of behaviour required to comply with the policy;
- The value of senior management commitment to the policy and for creating workplace awareness about the harmful effects of alcohol and other drugs;
- The factors in the workplace that may contribute to the harmful alcohol and drug use;
- Restrictions on the availability of alcohol and other drugs in the workplace, such as at company functions and the use of over the counter or prescription medication;
- Early intervention, the earlier a problem is identified and addressed, the better the chances of it being successful;
- Reporting procedures, this needs to be a confidential process that will encourage both an affected worker and/or other workers to report hazards relating to alcohol and other drugs. Consideration should also be given to including alcohol and other drug factors into your incident reporting system;
- The type of counselling and support services that would be appropriate for your workplace;
- The information, education and training needs of managers, supervisors and workers;
- Confidentiality, privacy and anti-discrimination requirements; and
- The types of disciplinary action.

Note: *The above list is not exhaustive and should be used as a guide only.*

4. Approaching a worker who may be under the influence of alcohol or other drugs

Approaching a person who is under the influence of alcohol or other drugs requires skill and sensitivity to achieve the best outcome for all at the workplace. When establishing a policy, consideration should be given to designating and training persons to approach workers who are displaying signs of being under the influence of alcohol or other drugs.

Suitable persons may include managers, supervisors, health and safety representatives or other persons who have appropriate knowledge, experience and/or qualifications (e.g. counselling). It is important that designated persons are aware of the most effective style of approach.

Procedures of this kind should include a chain of responsibility for making approaches if initial contact produces a negative or hostile response.

When approaching an apparently intoxicated worker it can be more effective and less confronting to talk in terms of their approach to safety and general work performance rather than their alcohol or drug use.

Care needs to be taken when making this judgment in case the employee is ill or injured, taking prescribed medication or in some other form of distress which may account for their behaviour. Where legitimate medication is the cause of unsafe performance, the employee may need to see their general practitioner for a medication review.

5. Procedures for reporting alcohol and other drug use in the workplace

The role of the manager/supervisor is critical to the successful implementation and monitoring of a workplace alcohol and other drugs program. The manager/supervisor needs to be consistent in the implementation of any policy and program and consider the following factors:

- Provision of training and information to relevant managers/supervisors/workers that outlines their role and responsibilities in the management of this hazard in the workplace;
- Communicating to workers the organisation's policy and program on alcohol and other drug use in the workplace and nominating a contact person who can provide additional information;
- Providing appropriate support, assistance and guidance to the employee who is attending a rehabilitation program; and
- Reviewing and evaluating the policy and program through the worker consultative mechanism to ensure it is current and in line with changes that may occur within the organisation.

6. Information, Training and Education

It is essential to promote a workplace that is drug and alcohol free. Persons Conducting a Business or Undertaking can encourage this culture by providing information and education to all workers.

Information should be well communicated within the workplace and be included in the induction and ongoing training. Workers should be aware of the issues associated with the misuse of drugs and alcohol, and how it can have serious consequences for workplace health and safety.

Below is a list of points that should be considered when you are developing a training program:

- How the company's policy defines unacceptable alcohol and other drugs use;
- How you are going to deal with the long-term user and those intoxicated in one-off situations;
- The effects of alcohol and other drugs on health, safety and work performance;
- Alcohol and other drug use and its retention in the blood stream into the working day, e.g. the impact of late night drinking;

- Work Health and Safety training could include general statistics on workplace alcohol and other drugs use, and related incidents;
- Advice on personal responsibility relating to alcohol and other drug taking;
- The consequences for workers who fail to comply with the alcohol and other drugs policy;
- Workplace and personal lifestyle stressors that can contribute to alcohol and other drugs use and strategies for personal stress reduction;
- Information about a person's ability to recover after consuming alcohol and other drugs as some people believe they can recover quickly after heavy alcohol or other drug consumption, and believe they are fit to work;
- Ways of dealing with problem drinking and drug use;
- Who to approach in the workplace for assistance with an alcohol/drug problem;
- The legal environment including the contract of employment in relation to alcohol and other drugs use;
- Any relevant counselling, treatment and rehabilitation services available in the workplace and/or externally. (Post contacts with phone numbers on notice boards/in newsletters);
- Training for relevant managers that includes: how to explain and implement any services the organisation provides in relation to their alcohol and other drugs policy and program, e.g. how to refer a worker to rehabilitation and support services, how to identify alcohol and other drug use and approach employees who may be under the influence; and
- Information for workers about their role in identifying and assessing any work-related risks/tasks associated with the inappropriate use of alcohol and other drugs.

Note: *The above list is not exhaustive and should be used as a guide only.*

7. Counselling and Support

Workers should be informed about avenues for counselling and support services, which can be accessed through their General Practitioner, the local community health centre or an employee assistance program (EAP) where available.

Employee assistance programs may add to the effectiveness of a workplace alcohol and other drugs policy. Workers who are identified by supervisors or themselves as having an alcohol or drug problem could be assisted through recognised treatment or an employee assistance program where available.

A workplace alcohol and other drugs policy should not rely solely upon an employee assistance program.

8. Disciplinary Procedure

A procedure for the counselling and, if necessary, discipline of workers should be consistent with any existing awards, agreements and other established counselling and disciplinary measures which apply in the workplace.

9. Alcohol and Other Drug Testing

Drug testing, as a means of managing alcohol and other drug related risks, has a number of significant limitations:

- A positive test (referred to as a non-negative) for alcohol and other drugs is not in itself evidence of impairment of ability to perform or intoxication. This is particularly so in relation to the presence of a drug (other than alcohol) where there is much less international consensus on the relationship between the measured level of a drug (or its metabolite) and levels of impairment
- If a worker refuses to be tested it cannot be presumed that they are intoxicated. Workers have a legal right to refuse to be tested, unless specific legislation, contracts or employment agreements provide otherwise
- The reliability of testing can be subject to legal challenge due to varying accuracy rates.

The decision to use alcohol and other drug testing should be made in consultation with workers, health and safety representatives and union representatives. Agreement may be sought where a risk assessment has identified that there are risks involved in undertaking certain activities whilst under the influence of alcohol and other drugs. Privacy, confidentiality and the legal position of workers and management also need to be considered.

It is recommended that alcohol and other drug testing only be implemented as part of a comprehensive alcohol and other drug program with appropriate safeguards, clear policy and procedures, and provision of education and counselling. If utilised, testing should act as a deterrent, not a mechanism to 'catch people out'.

Other less invasive strategies should be investigated before making a decision to introduce testing.

Workers (inclusive of contractors) should be informed about drug and alcohol testing expectations before commencing employment. Workers should also be informed that alcohol and other drugs used outside of the workplace may remain in their systems after returning to work and can affect work performance.

Testing procedure

If testing is to be conducted, it is recommended that rigorous testing procedures be developed and applied.

For further information, Australian Standards (including AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine and AS

4760:2006 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid) are a source of detailed technical advice on appropriate collection procedures. These and other relevant Australian Standards can be purchased online at www.saiglobal.com.

Persons Conducting a Business or Undertaking need to ensure that all testing is undertaken by an accredited laboratory.

10. Additional Resources

SafeWork SA

Alcohol and drugs: http://www.safework.sa.gov.au/show_page.jsp?id=115268#.V-yILpqa3IU

Safe Work Australia

Work-Related Alcohol and Drug Use: A Fit for Work Issue:

<https://www.safeworkaustralia.gov.au/doc/work-related-alcohol-and-drug-use-fit-work-issue>

SA Health

Drug and alcohol emergency information:

<http://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/health+topics/health+conditions+prevention+and+treatment/drugs/drug+and+alcohol+emergency+information>

Alcohol and Drug Information Service (ADIS):

<http://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/health+services/drug+and+alcohol+services/alcohol+and+drug+information+service+adis>

Drug and Alcohol Services South Australia (DASSA):

<http://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/about+us/our+statewide+services/drug+and+alcohol+services+sa/drug+and+alcohol+services+south+australia>

beyondblue

Drugs, alcohol and mental health fact sheet:

<http://resources.beyondblue.org.au/prism/file?token=BL/0058>

FURTHER ASSISTANCE

MAQOHSC Work Health and Safety Specialists are available to provide further advice and assistance on all Work Health and Safety matters.

MAQOHSC Work Health and Safety Specialists are able to be contacted via our website at www.maqohsc.sa.gov.au or email maqohsc@sa.gov.au.

ADDITIONAL INFORMATION

Work Health and Safety Legislation, Codes of Practice, fact sheets, Health and Safety Representatives (HSR) information and guides can be found at the following websites:

SafeWork SA – www.safework.sa.gov.au or call 1300 365 255

Safe Work Australia – www.safeworkaustralia.gov.au or call 1300 551 832

Alcohol and Other Drugs Policy

Appendix A: Alcohol and Other Drugs Policy example *(ensure to delete)*

This policy demonstrates *(insert company name)* commitment to:

- Health and safety, and to eliminating or minimising risks so far as is reasonably practicable, for all workers, contractors and visitors;
- Complying with the requirements of the *Work Health and Safety Act 2012 (SA)* and the *Work Health and Safety Regulations 2012 (SA)*; and
- Dealing with the hazards associated with alcohol and other drugs.

This policy applies to all persons entering the *(insert company name) (insert quarry/mine name)*.

Definition

Alcohol and Other Drug use can affect a person's ability to work safely and creates a risk to work health and safety.

Responsibilities

No person shall consume alcohol or other drugs in the workplace, except:

- For legitimate medical reasons: You must notify your supervisor if prescribed medication is likely to affect your behaviour and therefore work health and safety. Your supervisor may assign you other duties while you're taking the medication; and
- At workplace-based social events: This is dealt with in more detail under 'Social events' in this policy.

The **manager/supervisor** must, if they have reasonable grounds for believing that you are incapable of safely performing your duties or may be a risk to others due to the effects of alcohol or other drugs, shall arrange for you to be removed safely from the workplace.

Each person must ensure that they are not, by the consumption of alcohol or other drugs, in such a condition as to endanger their own safety or that of others.

This includes not coming to work if, after drinking or using drugs in your social time, your ability to work safely is still impaired. If you come to work, you must report to your supervisor who may assign you other duties or arrange for you to leave the workplace.

Managing Alcohol and Other Drugs

(insert company name) will identify all workplace factors that may influence someone to turn to alcohol and other drugs, and use the hazard management process to eliminate alcohol and other drugs use or control the risks from them.

(insert company name) will consult with workers, Health and Safety Representatives and/or the Work Health and Safety Committee on this issue.

(Outline the specific actions you will take to address any factors in your workplace that may influence someone to turn to alcohol or other drugs.)

Alcohol and Other Drugs Policy

Disciplinary action

If anyone is found to breach this policy, management will *(outline the actions you will take, e.g. giving a formal warning, followed by encouraging them to get treatment, suspension, and possible termination of employment).*

Testing

If you decide to introduce a testing program, you must include details about it in this policy. This includes:

- The practicalities of testing: who will do it, when and how it will be done, and what type of procedure will be used;
- The procedures for the action you will take for a positive (non-negative) test result; and
- Acknowledgement that people have the legal right to refuse to be tested, unless specified in legislation or in their contract or employment agreement.

Social events

Responsible social events can be held by *(insert company name) (include likely events).* To ensure everyone remains safe:

- Everyone is expected to be responsible and mindful of the workplace;
- Non-alcoholic drinks and food will be provided;
- Alternative transport arrangements will be provided to discourage drink-driving; and
- *(include any other measures you may take).*

Information and support

(insert company name) will provide regular training and information about the effects of alcohol and other drug use on personal and work health and safety, and on the components of this policy.

(Include any support, whether internal or external, that you can provide workers, especially those who admit they have a drug or alcohol problem).

Policy authorised by:

Signed _____

Print Name _____

Date _____

Review Date _____

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